

CITY OF TIGARD, OREGON

RESOLUTION NO. 05- 15

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 30
(SW 121ST AVENUE)

WHEREAS, on July 13, 2004, the City Council approved Resolution 04-53 to form Sanitary Sewer District No. 30 to construct sewers in SW 121st Avenue in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 04-53 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 30, attached hereto as Exhibit A, is hereby approved.

SECTION 2 Resolution No. 04-53 is hereby amended to add the revised City Engineer's Report.

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

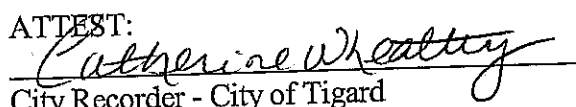
SECTION 4 This resolution is effective immediately upon passage.

PASSED: This 8th day of March 2005.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

Exhibit A
Final City Engineer's Report
Sanitary Sewer Reimbursement District No. 30
(SW 121st Avenue)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,535, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

As originally proposed, the district was to provide service to sixty-seven lots through the Schedule A portion of the project. However, during construction, an existing line in SW 123rd Avenue was found to be available to serve the lot at 12290 SW Marion Street. This lot has been removed from the following Schedule A list so that sixty-six lots remain to be served by the extension of an existing sewer at SW 121st Avenue and Tippit Place. The three lots along the east side of SW 121st Avenue and south of Howard Drive were originally proposed to be served by an existing line along their SW 121st Street frontage. Laterals from the mainline to the lots were to be installed to each lot through Schedule B. However, a service was previously provided to the lot at 13530 SW 121st Avenue. This lot has been removed from the following Schedule B leaving two lots with laterals installed through this project. Because the work required to provide service to the lots listed in Schedule A differ in character from those in Schedule B, different methods of assigning costs are proposed.

The proposed project would provide sewer service to a total of sixty-eight lots as shown on Exhibit Map B.

Tax lot 800 is a 1.6 acre undeveloped lot between Alberta Street and James Road without access to a right-of-way. This lot is not proposed to be included in the district since the lot will not have access to the proposed sewer in Alberta Street. Providing service to this lot would require construction of a public sewer across other privately owned lots to reach the proposed Alberta Street sewer. This work would most likely be accomplished by the owner of the lot. The feasibility of such a project and the availability of the easements required for this construction are unknown. However, if the owner of the lot finds the project to be

feasible, the line will be available for development of the lot although it is not included in the district.

Cost

The final cost for the sanitary sewer construction to provide service to the sixty-six lots in Schedule A is \$711,261.00. Engineering and inspection fees amount to \$96,020.24 (13.5%) as defined in TMC 13.09.040(1). The final total cost for Schedule A is \$807,281. The final cost for the sanitary sewer connection lines to the two lots in Schedule B is \$16,400.00. Engineering and inspection fees amount to \$2,214.00 (13.5%) as defined in TMC 13.09.040(1). The final total cost for Schedule B is \$18,614. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,535 connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties within Schedule A are zoned R-4.5 but vary in lot size from 51,000 to 11,000 square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of this portion of the project be divided among the sixty-six properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

The cost of providing service lines to each of the two lots of Schedule B will be equal. Therefore, it is recommended that the total cost of this portion of the project be divided equally among the three lots.

For the lots within the Schedule A portion of the project, each property owner's estimated fair share of the public sewer line is \$0.6612 per square foot of the lot served. For the lots within the Schedule B portion of the project, each property owner's final fair share is \$9,307. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may

be deferred until the lot is developed as provided by Resolution 03-55 (attached).

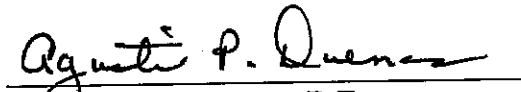
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted February 22, 2005



Agustin P. Duenas, P.E.
City Engineer

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121ST AVENUE
Reimbursement District No. 30 Schedule A
Final Cost to Property Owners

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
1	BEATY NORMA A	12170 SW JAMES ST	2S103CB02200	19996.42066	13,222	\$6,000	\$7,222
2	BECKER GORDON S	12905 SW 121S AVE	2S103BC01700	14856.98481	9,824	\$6,000	\$3,824
3	BERGSTROM EDWARD A	12165 SW MARION ST	2S103CB02600	15949.95474	10,546	\$6,000	\$4,546
4	BETTENCOURT RICHARD ELLIS	13240 SW 121S AVE	2S103CA00303	51493.69017	34,048	\$25,048	\$9,000
5	BORST DONNA S	12150 SW JAMES ST	2S103CB02300	19963.42420	13,200	\$6,000	\$7,200
6	BRUNNER LANE E & CYNTHIA M	12240 SW JAMES ST	2S103CB01900	19997.93821	13,223	\$6,000	\$7,223
7	BUCHHOLZ KYLE J	12120 SW ALBERTA ST	2S103BC02700	17029.36203	11,260	\$6,000	\$5,260
8	CHAVEZ JAIME A & KAREN	12295 SW ALBERTA ST	2S103BC02300	15111.28885	9,992	\$6,000	\$3,992
9	CONN ALISSA L & MICHAEL L	12240 SW ALBERTA ST	2S103BC03100	15128.15248	10,003	\$6,000	\$4,003
10	DAHL STEPHEN MARION S	12170 SW MARION ST	2S103CB04700	16234.17269	10,734	\$6,000	\$4,734
11	DAWES RICHARD C & LISA A	12205 SW ALBERTA ST	2S103BC02000	15111.20686	9,992	\$6,000	\$3,992
12	DELANO NELLIE M & GARY W	12185 SW MARION ST	2S103CB02601	15950.31211	10,546	\$6,000	\$4,546
13	DENKER LES & DEBBIE	12260 SW JAMES ST	2S103CB01800	20138.75657	13,316	\$6,000	\$7,316
14	DUNNING DRAKE D	12745 SW 121ST AVE	2S103BC01400	14057.39954	9,295	\$6,000	\$3,295
15	ENG DEAN	13235 SW 121S AVE	2S103CB02500	15680.56154	10,368	\$6,000	\$4,368
16	GENTIS STEVEN W	12175 SW ALBERTA ST	2S103BC01900	15111.17952	9,992	\$6,000	\$3,992
17	GROSSE' FAMILY TRUST	12185 SW JAMES ST	2S103CB00500	16284.47157	10,767	\$6,000	\$4,767
18	HARRIS RONALD C AND LILA S	12285 SW MARION ST	2S103CB03001	15951.36794	10,547	\$6,000	\$4,547
19	IVERSON LARRY T & SANDRA L	12220 SW JAMES ST	2S103CB02000	19999.56207	13,224	\$6,000	\$7,224
20	JAGOSH JOHN	12145 SW JAMES ST	2S103CB00300	21976.38236	14,531	\$6,000	\$8,531
21	JOHNSON H DALE AND	12245 SW MARION ST	2S103CB02900	15951.16318	10,547	\$6,000	\$4,547
22	JONES HOLDINGS LLC	121ST AVE	2S103CA00309	19566.57761	12,938	\$6,000	\$6,938
23	JONES HOLDINGS LLC	121ST AVE	2S103CA00310	17662.85262	11,679	\$6,000	\$5,679
24	JONES HOLDINGS LLC	121ST AVE	2S103CA00311	17661.99473	11,678	\$6,000	\$5,678
25	JONES RICHARD W	12190 SW MARION ST	2S103CB04600	15657.64037	10,353	\$6,000	\$4,353
26	JOSEPH BRENDA M	11905 SW FONNER ST	2S103BD03700	15206.54015	10,055	\$6,000	\$4,055
27	KAUSLER WILLIAM M & MELISSA J	12225 SW MARION ST	2S103CB02800	15951.02685	10,547	\$6,000	\$4,547
28	KELLY DANIEL D & MELODIE	12180 SW ALBERTA ST	2S103BC02900	15128.29963	10,003	\$6,000	\$4,003
29	KIRCHER ROBERT B	12970 SW 121ST AVE	2S103BD03500	19330.97952	12,782	\$6,000	\$6,782
30	LANCASTER MICHAEL T	13035 SW 121S AVE	2S103CB00100	19934.20936	13,181	\$6,000	\$7,181
31	LAPLANTE FELIX F AND SALLY J	12145 SW ALBERTA ST	2S103BC01800	15111.15219	9,992	\$6,000	\$3,992
32	LEAR JOE JR & JOANN	13065 SW 121S AVE	2S103CB00200	15998.48736	10,578	\$6,000	\$4,578
33	LOFGREN RICHARD W & PATRICIA M	11935 SW FONNER ST	2S103BD03600	16838.13387	11,133	\$6,000	\$5,133
34	MENDE MICHAEL	FONNER	2S103CA00301	18237.94284	12,059	\$6,000	\$6,059
35	MUNSON KURT R AND JULIA H	12205 SW MARION ST	2S103CB02700	15950.66948	10,547	\$6,000	\$4,547
36	NASH FAMILY REV LIV TRUST	12270 SW ALBERTA ST	2S103BC03200	15128.07890	10,003	\$6,000	\$4,003
37	NORRIS LONNIE D AND	13300 SW 121S AVE	2S103CA00500	23444.83121	15,502	\$6,502	\$9,000
38	NORTON CLAYTON E	12210 SW MARION ST	2S103CB04500	15820.19485	10,460	\$6,000	\$4,460
39	OLIVER CHARLES A/BETH M	12300 SW ALBERTA ST	2S103BC03300	15128.00532	10,003	\$6,000	\$4,003
40	OSGOOD CHERYL	12845 SW 121ST AVE	2S103BC01600	15586.31587	10,306	\$6,000	\$4,306
41	OTTING JOHN H	12210 SW ALBERTA ST	2S103BC03000	15128.22606	10,003	\$6,000	\$4,003
42	OWNBEY DAVID LLOYD	12230 SW MARION ST	2S103CB04400	15184.54174	10,040	\$6,000	\$4,040
43	PALACIOS ARMANDO & PATRICIA &	12920 SW 121S AVE	2S103BD03400	22686.14744	15,000	\$6,000	\$9,000
44	PARKER BENJAMIN J & KIMBERLY A	13305 SW 121S AVE	2S103CB04800	18357.88329	12,138	\$6,000	\$6,138
45	PEDERSEN NORMAN LEROY & ALICE M	12265 SW ALBERTA ST	2S103BC02200	15111.26152	9,992	\$6,000	\$3,992
46	PETITT THOMAS J & ERIN D	13400 SW 121S AVE	2S103CA00603	23467.02386	15,516	\$6,516	\$9,000
47	PRICE JOHN H & NORMA J	12270 SW MARION ST	2S103CB04200	15139.11333	10,010	\$6,000	\$4,010
48	RAMIREZ EDUARDO & LUCIA	12840 SW 121ST AVE	2S103BD03200	11424.16809	7,554	\$6,000	\$1,554
49	REED GEORGIA J LIVING TRUST	12795 SW 121ST AVE	2S103BC01500	15589.39733	10,308	\$6,000	\$4,308
50	SCHMIDTMANN BRANDT & KAREN K	12215 SW JAMES ST	2S103CB00600	28973.28793	19,157	\$10,157	\$9,000
51	SCHMIDTMANN BRANDT & KAREN K	JAMES RD	2S103CB00501	12687.87410	8,389	\$6,000	\$2,389
52	SELNER JOHN JOSEPH & MAXINE ELL	12280 SW JAMES ST	2S103CB01701	17313.96246	11,448	\$6,000	\$5,448
53	SHEPHERD NICHOLAS M	12265 SW MARION ST	2S103CB03000	15951.36794	10,547	\$6,000	\$4,547
54	SITZMAN DEANE D/ANNA L	12235 SW ALBERTA ST	2S103BC02100	15111.23419	9,992	\$6,000	\$3,992
55	SJULIN-GREGER FAMILY TRUST	13360 SW 121S AVE	2S103CA00602	14989.47247	9,911	\$6,000	\$3,911
56	SMITH SANDRA T	12880 SW 121ST AVE	2S103BD03300	23524.28268	15,554	\$6,554	\$9,000
57	SPANGLER JAMES P & KAREN L	13270 SW 121S AVE	2S103CA00400	22716.98364	15,021	\$6,021	\$9,000
58	STAEHNKE BENJAMIN M	12165 SW JAMES ST	2S103CB00400	28971.08987	19,156	\$10,156	\$9,000
59	STRENDING EDWARD MARIANN	12150 SW ALBERTA ST	2S103BC02800	15128.37321	10,003	\$6,000	\$4,003
60	THORIN G KARIN	12190 SW JAMES ST	2S103CB02100	19998.50475	13,223	\$6,000	\$7,223
61	TIBBETS GEORGE L FAMILY TRUSTEE	12235 SW JAMES ST	2S103CB00700	43463.59321	28,738	\$19,738	\$9,000
62	TIBBETS KATHLEEN M	12275 SW JAMES ST	2S103CB01000	15773.87176	10,430	\$6,000	\$4,430
63	VONADA GREG E & REBECCA M	12020 SW FONNER ST	2S103CA00302	21479.47970	14,202	\$6,000	\$8,202
64	WALL KENT N & FRANCES P	13205 SW 121S AVE	2S103CB02400	20000.88854	13,225	\$6,000	\$7,225
65	WILLIAMS MICHAEL R	12250 SW MARION ST	2S103CB04300	15901.61751	10,514	\$6,000	\$4,514
66	WILSON RONALD R DIANE M	13200 SW 121S AVE	2S103CA00307	21534.10103	14,238	\$6,000	\$8,238
			Totals	1220925	\$807,281	\$438,693	\$368,589
					PROJECT TOTAL (Paid by Owner + Paid by City)		\$807,281

121ST AVENUE
Reimbursement District No. 30 Schedule A
*Final Cost to Property Owners
Summary*

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Final Construction Cost	\$711,261
13.5% contingency (Admin & Eng)	\$96,020
total project costs	\$807,281
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total area to be served (S.F.)	1,220,925
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total cost per S.F. to property owner	\$0.6612
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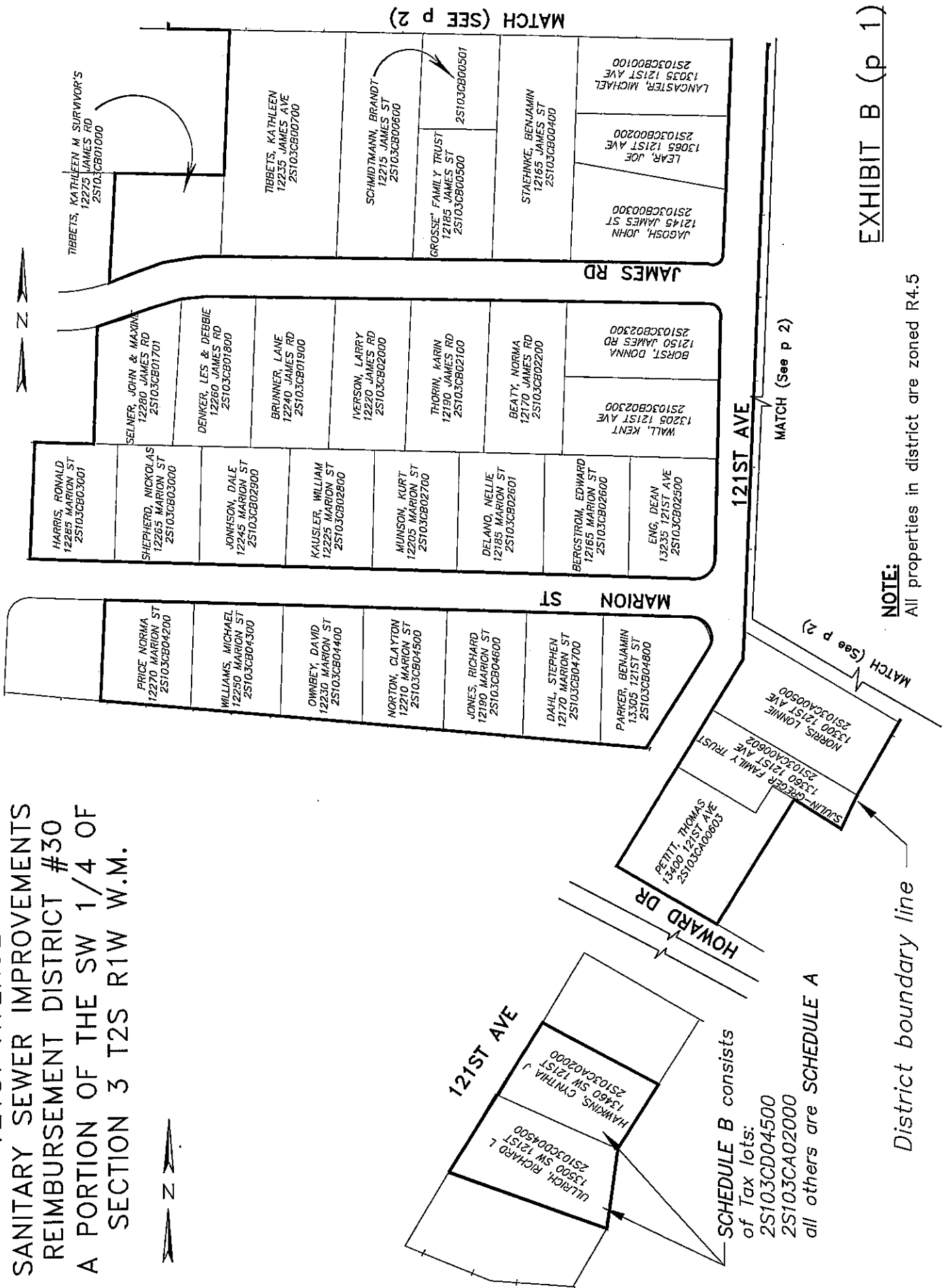
121ST AVENUE
Reimbursement District No. 30 Schedule B
*Final Cost to Property Owners
Summary*

Final Construction Cost	\$16,400
13.5% contingency (Admin & Eng)	\$2,214
total project costs	\$18,614
SCHEDULE A	\$807,281
SCHEDULE B	\$18,614
TOTAL PROJECT COST SHEDULE A AND B	000000 \$825,895

121ST AVENUE
Reimbursement District No. 30 Schedule B
Final Cost to Property Owners

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
1	HAWKINS CYNTHIA J	13460 SW 121ST AVE	2S103CA02000	15278.40	\$9,307.00	\$6,000	\$3,307
2	ULLRICH RICHARD L	13500 SW 121ST AVE	2S103CD04500	38610.84	\$9,307.00	\$6,000	\$3,307
Totals					18,614.00	\$12,000	\$6,614
PROJECT TOTAL (Paid by Owner + Paid by City)							\$18,614

121ST AVENUE
 SANITARY SEWER IMPROVEMENTS
 REIMBURSEMENT DISTRICT #30
 A PORTION OF THE SW 1/4 OF
 SECTION 3 T2S R1W W.M.



121ST AVENUE

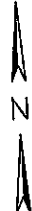
SANITARY SEWER IMPROVEMENTS

REIMBURSEMENT DISTRICT #30 A PORTION OF

THE SW 1/4 OF SECTION 3 T2S R1W W.M.

NOTE:

All properties in district are zoned R4.5



District boundary line

121ST AVENUE
Reimbursement District No. 30 Schedule B
Final Cost to Property Owners

OWNER		SITE ADDRESS	TAX LOT ID	AREA (S.F.)	COST TO PROPERTY OWNER
1	HAWKINS CYNTHIA J	13460 SW 121ST AVE	2S103CA02000	15278.40	\$4,731.67
2	ULLRICH RICHARD L	13500 SW 121ST AVE	2S103CD04500	38610.84	\$4,731.67
Totals				53889.24	\$18,614
PROJECT TOTAL					\$9,463

121ST AVENUE
Reimbursement District No. 30 Schedule B
*Final Cost to Property Owners
Summary*

Final Construction Cost	\$16,400
13.5% contingency (Admin & Eng)	\$2,214
total project costs	\$18,614
SCHEDULE A	\$807,281
SCHEDULE B	\$18,614
TOTAL PROJECT COST SCHEDULE A AND B	\$825,895